REMARKS

Claims 1-23 are pending in this application. By this Amendment, claims 1-17 are amended. Support for amendments is found in the specification at, for example, page 15, lines 13-19, page 25, line 23-page 26, line 6, and Figs. 4 and 12. Claims 18-23 are added. No new matter is added. Reconsideration of the application is respectfully requested.

Applicants appreciate the courtesies shown to Applicants' representatives by Examiner Lee in the November 5, 2008 personal interview. Applicants' separate record of the substance of the interview is incorporated into the following remarks.

The Office Action objects to claim 5. Claim 5 is amended to obviate the objection. Withdrawal of the objection is respectfully requested.

The Office Action rejects claims 1 and 2 under 35 U.S.C. §101. This rejection is respectfully traversed.

The Office Action asserts that "A service processing system" comprising "an indication data creation part," "at least one execution apparatus," "a management control part," and "a notice part" does not include any functional structure of a system and can be considered as an apparatus comprising software.

However, it is unreasonable for the Patent Office to automatically consider a term, such as "part," as recited in claim 1, to only be software when the claim recites its function, without considering the claim as a whole in light of the disclosure in the specification.

As discussed during the interview, specification describes a physical property that performs the functions as recited in claims 1 and 2. For example, with respect to claim 1, based on the descriptions of the specification, a script creation server 30 may perform the functions of the recited indication data creation part; an image processing device 62 may perform the functions of the recited execution apparatus; and parts of a cooperative processing server 50 may perform the function of the recited management controller and the

notice part. See Applicants' specification at, for example, page 11, line 6 to page 18, line 19. With respect to claim 2, a part of the cooperative processing server 50 may perform the functions of the recited notice form change part. Therefore, in light of the disclosure in the specification, those skilled in the art would appreciate that the parts and apparatus recited in claims 1 and 2 encompass tangible, physical elements. Therefore, interpreting the "part" and "apparatus" to <u>only</u> be software is unreasonable.

Nonetheless, to advance the prosecution of the application, as discussed during the interview, claims 1 and 2 are amended to obviate the rejection by positively reciting tangible structure. As such, withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 5-17 under 35 U.S.C. §101 because "A device" comprising parts does not include any functional structure of a system and is considered as an apparatus comprising software, which is not one of the categories of statutory subject matter. This rejection is respectfully traversed.

Applicants respectfully submit that the elements recited in claims 5-17 <u>do</u> recite a functional structure and physical property. Therefore, as discussed above, the rejection is improper. However, to advance the prosecution of the application, as discussed during the interview, claims 5-17 are similarly amended to obviate the rejection. Accordingly, withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 1-7 under 35 U.S.C. §102(e) over U.S. Patent No. 7,069,536 to Yaung. This rejection is respectfully traversed.

Claim 1 recites, *inter alia*, a script creation server that creates indication data to indicate multiple processings performed to document data, and notice condition data to indicate an event to be notified regarding progress of the multiple processings and at least one of predetermined types of communication to notify the event, and a cooperative processing server that sends a notice during the progress of the multiple processings based the event to

be notified and by the at least one of the predetermined types of communication to notify the event indicated in the notice condition data received from the script creation server. As discussed during the interview, examples of the predetermined types of communication include a message transmission, a mail transmission, a FAX transmission, a log record, a report output (print), a display to a user interface or the like, as described in the specification at, for example, page 27, lines 7-10.

The Office Action asserts that Yaung allegedly discloses the recited notice condition data at col. 6, lines 20-28. As discussed during the interview, in this section, Yaung discloses that a process modeler defines an action and user associated with a node in the workflow, and that the process modeler select an action from the action list in the action field and specifies the user to perform the action at the start node in the user field. Then, Yaung discloses that the enable notification of deadline checkbox 136 may be selected to notify the user associated with the start node that a deadline has passed during which the user designated action for that node was not completed.

However, as discussed during the interview, Yaung merely describes that the notification is sent to the user of the passed deadline action, but does <u>not</u> teach or suggest <u>how</u> the notification is sent. In addition, Yaung does not disclose <u>multiple</u> types of communication to send the notification. Therefore, there is no need to designate at least one of the predetermined types of communication for notification in the information relating to the notification. Accordingly, as agreed to during the interview, Yaung does not teach or suggest the notice condition data and the cooperative processing server, as recited in claim 1. As such, claim 1 is patentable over Yaung.

Independent claims 3 and 5-7 recite features similar to claim 1. As such, claims 3 and 5-7 are patentable over Yaung. Dependent claims 2 and 4 are allowable at least for their

dependence on claims 1 and 3, respectively. For these reasons, withdrawal of the rejection is respectfully requested.

The Office Action rejects claims 8, 12, 13 and 17 under 35 U.S.C. §103(a) over Yaung in view of U.S. Patent Application Publication No. 2003/0061266 to Ouchi; rejects claims 9 and 14 under 35 U.S.C. §103(a) over Yaung in view of U.S. Patent No. 5,918,226 to Tarumi et al. (hereinafter "Tarumi); rejects claims 10 and 15 under 35 U.S.C. §103(a) over Yaung in view of U.S. Patent No. 7,200,860 to Ghaffar; and rejects claims 11 and 16 under 35 U.S.C. §103(a) over U.S. Patent Application Publication No. 2006/0005229 to Palekar et al. (hereinafter "Palekar"). These rejections are respectfully traversed.

None of Ouchi, Tarumi, Ghaffar and Palekar overcome the deficiencies of Yaung with respect to claims 6 and 7. Therefore, claims 8-17 are allowable at least for their dependence on claims 6 and 7, as well as for the additional features they recite. As such, withdrawal of the rejections is respectfully requested.

New claims 18-23 correspond to the allowed claims in Applicants' corresponding Japanese application. Independent claim 18 recites that an indication data generation device comprises a script creation server that creates indication data based on an order of the processing of the service, and a cooperative processing server that receives a setting of a second notice condition indicating a notice condition different from a first notice condition set in advance for each service obtained from each service processing device. Claim 18 also recites that when the cooperative processing server receives the second notice condition, the script creation server creates indication data that includes data relating to the second notice condition and that sends a notice based solely on the second notice condition. Claim 19 recites that when a specified user performs a progress that differs from a progress indicated by the indication data, the notice based on contents recited in the indication data is terminated.

Independent claim 20 recites that that an indication data generation method comprises creating indication data based on an order of the processing of the service using a script creation server, and receiving a setting of a second notice condition indicating a notice condition different from a first notice condition set in advance for each service obtained from each service processing device using a cooperative processing server. Claim 20 also recites that when the second notice condition is received, the script creation server creates indication data that includes data relating to the second notice condition and that sends a notice based solely on the second notice condition. Claim 21 recites that when a specified user performs a progress that differs from a progress indicated by the indication data, the notice based on contents recited in the indication data is terminated.

Independent claim 22 recites a computer readable storage media storing an indication data generation program that causes a computer to perform functions including creating indication data based on an order of the processing of the service, and receiving a setting of a second notice condition indicating a notice condition different from a first notice condition set in advance for each service obtained from each service processing device. Claim 22 also recites that when the second notice condition is received, indication data that includes data relating to the second notice condition and that sends a notice based solely on the second notice condition is created.
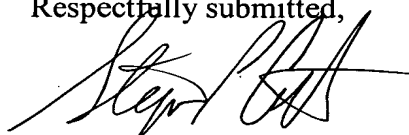
Claim 23 recites that when a specified user performs a progress that differs from a progress indicated by the indication data, the notice based on contents recited in the indication data is terminated.

None of the applied references teach or suggest these features. Therefore, claims 18-23 are patentable over the applied references.

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In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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Attachments:
  Petition for Extension of Time
  Amendment Transmittal

Date: December 19, 2008

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